

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **BALLATO et. al**

Application Serial No.: **10/669,282**

5 Application Filed: **September 24, 2003**

Attorney Docket No.: **CECOM 5501**

For: **ELECTRODE-FREE RESONATOR STRUCTURES FOR FREQUENCY
CONTROL, FILTERS AND SENSORS**

10 Madame:

These Remarks are submitted to support the Amendments to the Specification and
Amendments To The Claims in the above-identified application.

REMARKS

15 Claims 1-54 are now in the case. No new claims have been added. Claims 12, 33, 44 and
53 are amended.

Separate Amendments To The Claims, Amendments To The Specification and these
Remarks are enclosed with this Amendment.

20 A Preliminary Amendment was filed in this case. In this first Office Action, the Examiner
stated the application was in a condition for allowance except for formal matters in the
specification and claims. The Examiner pointed out three passages in the specification that were
inconsistent with the drawings and a lack of clarity in certain portions of claims 12, 33, 44 and
53. By virtue of this Amendment, it is respectfully submitted that the formal matters raised by the
Examiner have now been corrected. Each formal matter and response thereto is set forth in more
25 detail below. It is respectfully requested that the Examiner consider that the formal matters are
now corrected, and that the claims, as amended, be allowed and pass to issue.

Concerning the specification, the Examiner correctly pointed out that certain portions of
the Brief Description of the Drawings paragraph needed to refer to FIG'S 4C, 5C and 6C. The
present Amendment corrects the mistaken drawing references at page 4, line 27; page 4, line 29
30 and page 5, line 1 to include FIG'S 4C, 5C and 6C. It is respectfully submitted that by revising
the specification to correct these formal matters, the formal matters in the specification have been

rectified, without raising any prohibited new matter.

In the claims, the Examiner identified formal matters in claims 12, 33, 44 and 53 that needed to be corrected. Concerning claim 12, line 7, the Examiner stated that the definition of the term "resonator thickness dimension, t_3 ," was unclear, but the Examiner also pointed out that the dimension, t_3 , can be clearly understood from the specification and FIG. 4B. She suggested amending claim 12 to define the dimension, t_3 , as the distance from the top of mesa 44 to the bottom surface. Similarly in claim 33, line 10, the Examiner suggested substituting "the tops of said plurality of mesas" for "said plurality of filters." In claim 44, the Examiner identified two passages that required adding a conjunction, indicated that the term "plate thickness dimension, t_2 " in line 17 was unclear and suggested how to better define that term. Claim 44 has now been amended to insert the conjunction "and" in lines 7 and 11, and the term "plate thickness dimension, t_2 " has now been defined as being "measured from said top opening to said bottom opening." Finally, the Examiner correctly pointed out that claim 53 should depend from claim 52 instead of claim 55, and claim 53 has been amended accordingly. It is respectfully submitted that amending claims 12, 33, 44 and 53 in this way corrects the formal matters without raising any prohibited new matter.

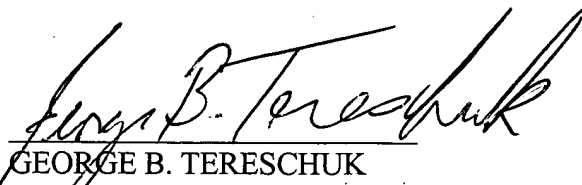
In conclusion, it is respectfully submitted that three (3) specification passages and claims 12, 22, 44 and 53 have now been revised to correct the formal matters raised by the Examiner. It is respectfully requested that the claims, as amended, be allowed and pass to issue.

Should the Examiner require further information, the Examiner is invited to telephone the applicants' attorney at the telephone number listed below.

Respectfully Submitted,

04 January 2005

DATE


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